

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIPE CIRNE DE LOS SANTOS,

Plaintiff,

-against-

94 CORNER CAFE CORP., MOHINDER SINGH,
BALWINDER SINGH, PARMAJIT KAUR, and KADRA
ZARWI,

Defendants.

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DATE FILED: 8/3/2021

1:21-cv-1577-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On June 29, 2021, the Court received a letter from Defendant Mohinder Singh requesting that this case be dismissed. [ECF No. 12.] The Court also received a response letter from Plaintiff. [ECF No. 14.] Thereafter, the Court entered an Order directing Defendants Balwinder Singh, Parmajit Kaur, Kadra Zarwi, and 94 Corner Café Corp. to appear and answer the Complaint on or before July 27, 2021. [ECF No. 14.] The Court also explained that 94 Corner Café Corp. may not proceed *pro se* because it is a corporation. [*Id.*]

On July 26, 2021, the Court received a letter signed by Defendants Mohinder Singh, Parmajit Kaur, and Kadra Zarwi and nonparty Sukhjinder Singh, a manager of Defendant 94 Corner Café, and submitted on behalf of all Defendants in this matter. [ECF No. 21.] The letter requests dismissal of this case and notes that it would be difficult for Defendant 94 Corner Café to retain counsel due to financial circumstances. [*Id.*] Plaintiff filed a response opposing Defendants' request for dismissal and expressing his intent to move for default judgment against Defendant 94 Corner Café. [ECF No. 22.]

The Court construes the July 26 letter as a request by the Individual Defendants for a pre-motion conference in connection with an anticipated motion to dismiss. The Court GRANTS this request.

Accordingly, IT IS HEREBY ORDERED that the parties shall appear for a pre-motion conference in connection with the Individual Defendants' anticipated motion to dismiss on **August 31, 2021, at 2:30 PM**. The conference will be held telephonically. To join the conference, dial 888-278-0296 and enter access code 5195844.

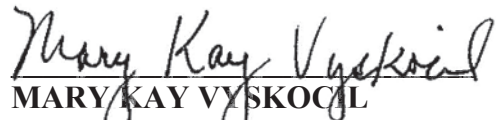
The Court reiterates that because it is a corporation, Defendant 94 Corner Café Corp. may not proceed *pro se*. In other words, Defendant 94 Corner Café Corp. may appear in federal court only through licensed counsel. *See, e.g., Grace v. Bank Leumi Trust Co. of N.Y.*, 443 F.3d 180, 187 (2d Cir. 2006) (“[I]t is well-settled law that a corporation may appear in the federal courts only through licensed counsel”); *Pecarsky v. Galaxiworld.com Ltd.*, 249 F.3d 167, 172 (2d Cir. 2001) (“As a corporation, appellant, Galaxiworld, could only appear with counsel.”).

IT IS FURTHER ORDERED that Defendants Mohinder Singh, Balwinder Singh, Parmajit Kaur, and Kadra Zarwi shall file a letter on or before August 24, 2021, providing their contact information, including mailing address, telephone number, and e-mail address.

IT IS FURTHER ORDERED that Plaintiff shall serve his letter [ECF No. 22] and this Order on each Defendant on or before August 6, 2021, and file proof of service on or before August 11, 2021.

SO ORDERED.

Dated: August 3, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge